

SENATE BILL 121

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2001 Regular Session  
11r0710

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By: **Senator Green**

Introduced and read first time: January 16, 2001

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Transfer Stations - Solid Waste Plans - Permits**

3 FOR the purpose of prohibiting the Secretary of the Environment from issuing a  
4 permit for a transfer station before the county in which the transfer station is  
5 proposed has amended a certain plan in a certain manner and has held a certain  
6 hearing by a certain time; and generally relating to the process for issuing a  
7 permit for a transfer station.

8 BY repealing and reenacting, with amendments,  
9 Article - Environment  
10 Section 9-210  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume and 2000 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Environment**

16 9-210.

17 (a) Subject to the provisions of subsection (b) of this section, the Secretary may  
18 not issue a permit to install, materially alter, or materially extend a refuse disposal  
19 system regulated under § 9-204(a) of this subtitle until the requirements set forth in  
20 this subsection are met in the following sequence:

21 (1) Except for the opportunity for a public informational meeting, the  
22 Department has completed its preliminary phase 1 technical review of the proposed  
23 refuse disposal system;

24 (2) The Department has reported the findings of its preliminary phase 1  
25 technical review, in writing, to the county's chief elected official and planning  
26 commission of the county where the proposed refuse disposal system is to be located;  
27 [and]

1           (3)       The county has completed its review of the proposed refuse disposal  
2 system, and has provided to the Department a written statement that the refuse  
3 disposal system:

4                   (i)       Meets all applicable county zoning and land use requirements;  
5 and

6                   (ii)       Is in conformity with the county solid waste plan; AND

7           (4)       FOR AN APPLICATION FOR A PERMIT FOR A TRANSFER STATION, THE  
8 COUNTY HAS:

9                   (I)       AMENDED ITS SOLID WASTE PLAN TO INCLUDE THE TRANSFER  
10 STATION; AND

11                   (II)       HELD A HEARING ON THE AMENDMENT TO INCLUDE THE  
12 TRANSFER STATION IN ITS SOLID WASTE PLAN DURING THE 12 MONTHS BEFORE THE  
13 PERMIT APPLICATION IS FILED.

14       (b)       Upon completion of the requirements of subsection (a)(1) and (2) of this  
15 section, the Department shall cease processing the permit application until the  
16 requirements of subsection (a)(3) AND, FOR A TRANSFER STATION, SUBSECTION (A)(4)  
17 of this section are met.

18       (c)       (1)       The Secretary may not issue a permit for a rubble landfill under §  
19 9-204(a) of this subtitle unless the county in which the rubble landfill is located has  
20 specified the types of waste that may be disposed of in that rubble landfill in its  
21 county solid waste management plan under Subtitle 5 of this title.

22           (2)       The types of waste that a county may allow to be disposed of in a  
23 rubble landfill under this section include:

24                   (i)       Trees;

25                   (ii)       Land clearing debris that is not a controlled hazardous  
26 substance as defined in Title 7, Subtitle 2 of this article;

27                   (iii)       Demolition debris that is not a controlled hazardous substance  
28 as defined in Title 7, Subtitle 2 of this article; and

29                   (iv)       Construction debris that is not a controlled hazardous  
30 substance as defined in Title 7, Subtitle 2 of this article.

31       (3)       The following types of waste may be disposed of in a rubble landfill  
32 subject to the regulations adopted under this subtitle if the disposal of these wastes is  
33 expressly approved by the county in its county solid waste management plan:

34                   (i)       Asbestos, if:

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2001.